

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 3:21-CR-107-NBB-RP

GILBERT MCTHUNEL, II

DEFENDANT

MOTION TO CONTINUE HEARING ON MOTION TO SUPPRESS

COMES NOW the Defendant, GILBERT MCTHUNEL, II, by and through counsel, and moves the Court to continue the hearing schedule for January 17, 2023, and in support thereof shows as follows:

1. This motion is unopposed by the government, as represented by Assistant United States Attorney Robert Mims. This motion is also unopposed by defense counsel.

2. That the undersigned counsel has a capital murder case set in the Circuit Court of Lafayette County, Mississippi beginning Tuesday, January 17, 2023, and the undersigned counsel is advised that the state case will go to trial and is a first docket setting. Thus, the undersigned cannot be present at the hearing on the defendants motion to suppress and requests a short continuance of the hearing date in advance of the current trial date set in this case on February 21, 2023.

3. That the Defendant does not make this motion for the purpose of delay, but in the interests of justice. That the Defendant seeks to continue the trial date and all corresponding deadlines.

WHEREFORE, PREMISES CONSIDERED, the Defendant prays that the Court will continue the hearing on the defendants motion to suppress currently set on January 17, 2023.

RESPECTFULLY SUBMITTED this the 5th day of January, 2023.

GILBERT MCTHUNEL, II, Defendant

BY: /s/ Paul Chiniche

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CERTIFICATE OF SERVICE

I, Paul Chiniche, attorney for the Defendant in the above and foregoing action, do hereby certify that I have electronically filed the above and foregoing with the Clerk of the United States District Court using the ECF system which sent notification of such filing to the following:

Robert Mims, AUSA
Email: robert.mims@usdoj.gov

SO CERTIFIED this the 5th day of January, 2023.

/s/ Paul Chiniche

Paul Chiniche (MSB#101582)